

CHAPTER 22.106 - SAN LUIS BAY PLANNING AREA

Sections:

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22.106.010 - Purpose and Applicability

This Chapter provides standards for proposed development and new land uses that are specific to the San Luis Bay planning area defined by the Land Use Element. These standards apply to proposed development and new land uses as provided by Section 22.90.020 (Applicability), and are organized according to the specific areas and/or land use categories within the planning area to which they apply.

22.106.020 - San Luis Bay Rural Area Standards

The following standards apply within the San Luis Bay Planning Area outside of urban and village reserve lines, in the land use categories or specific areas listed.

A. Areawide standards. The following standards apply within the rural portions of the San Luis Bay Planning Area that are not limited to a single land use category.

- 1. Planning impact areas.** The following standards apply within the cities of Arroyo Grande and Grover Beach planning impact areas, shown in Figure 106-1. Area “A” is an impact area for both cities; Area “B” is an impact area for Arroyo Grande.
 - a. Application referral.** Applications for discretionary land use permits, land divisions or General Plan amendments within the planning impact areas for the cities of Grover Beach and Arroyo Grande shall be referred by the County to the appropriate city or cities for review and comment.
 - b. Development impacts.** The County shall address potential impacts, including cumulative impacts, that are associated with impacts to water quantity and quality, drainage, erosion and downstream sedimentation, and traffic and circulation as critical subjects for additional evaluation as part of the environmental review process.

[Amended 1993, Ord. 2646]

2. Circulation standards.

- a. **Areawide systems - Conditional Use Permit projects.** Projects requiring Conditional Use Permit approval shall be integrated into areawide circulation and utility easements, providing for future extensions into adjacent undeveloped properties wherever feasible or where known areawide rights-of-way are planned.
- b. **Driveways - New land divisions.** Where possible, new land divisions shall be designed to combining driveways and private access roads serving proposed parcels wherever terrain and adequate sight distance on the public road allow.
- c. **Pedestrian and bikeways - New land divisions.** Provide for safe and site-sensitive pedestrian and bike circulation facilities in the design of roads for new subdivisions where feasible.
- d. **Road design and construction - New land divisions.**

(1) **Site disturbance.** Road alignments proposed in new land division applications shall be designed and constructed to minimize terrain disturbance consistent with safety and construction cost. Altered slopes shall be replanted with indigenous plants or protected by other appropriate erosion control measures.

(2) **Circulation.** New land divisions adjacent to the city limits of an incorporated city shall be designed to include offers-to-dedicate for roads connecting with the city such that the street right-of-way widths will reasonably correspond to those required under City standards. Appropriate transitions in road improvements shall be provided between City and County roads adjacent to the City limits. In addition, logical existing or future street connections to City streets shall be provided to encourage an efficient circulation system.

- 3. **Site planning on sloping sites - Conditional Use Permit projects.** Except for lands in the Agriculture category east of Montana de Oro as shown in Figure 106-3, projects requiring Conditional Use Permit approval on sites with varied terrain shall include design provisions for concentrating developments on moderate slopes, retaining steeper slopes visible from public roads undeveloped. [Amended 1993, Ord. 2646]
- 4. **Utility Services - Undergrounding requirement for Conditional Use Permit projects.** All projects requiring Conditional Use Permit approval (including commercial and residential uses fronting the shoreline) shall provide for utilities being placed underground unless the Commission determines either that: the proposed development will be of low intensity or in an isolated location; or that supporting overhead utilities will not be visible from public roads; or that overriding operational, economic or site conditions of the project warrant waiver of this requirement.

[Amended 1993, Ord. 2646]

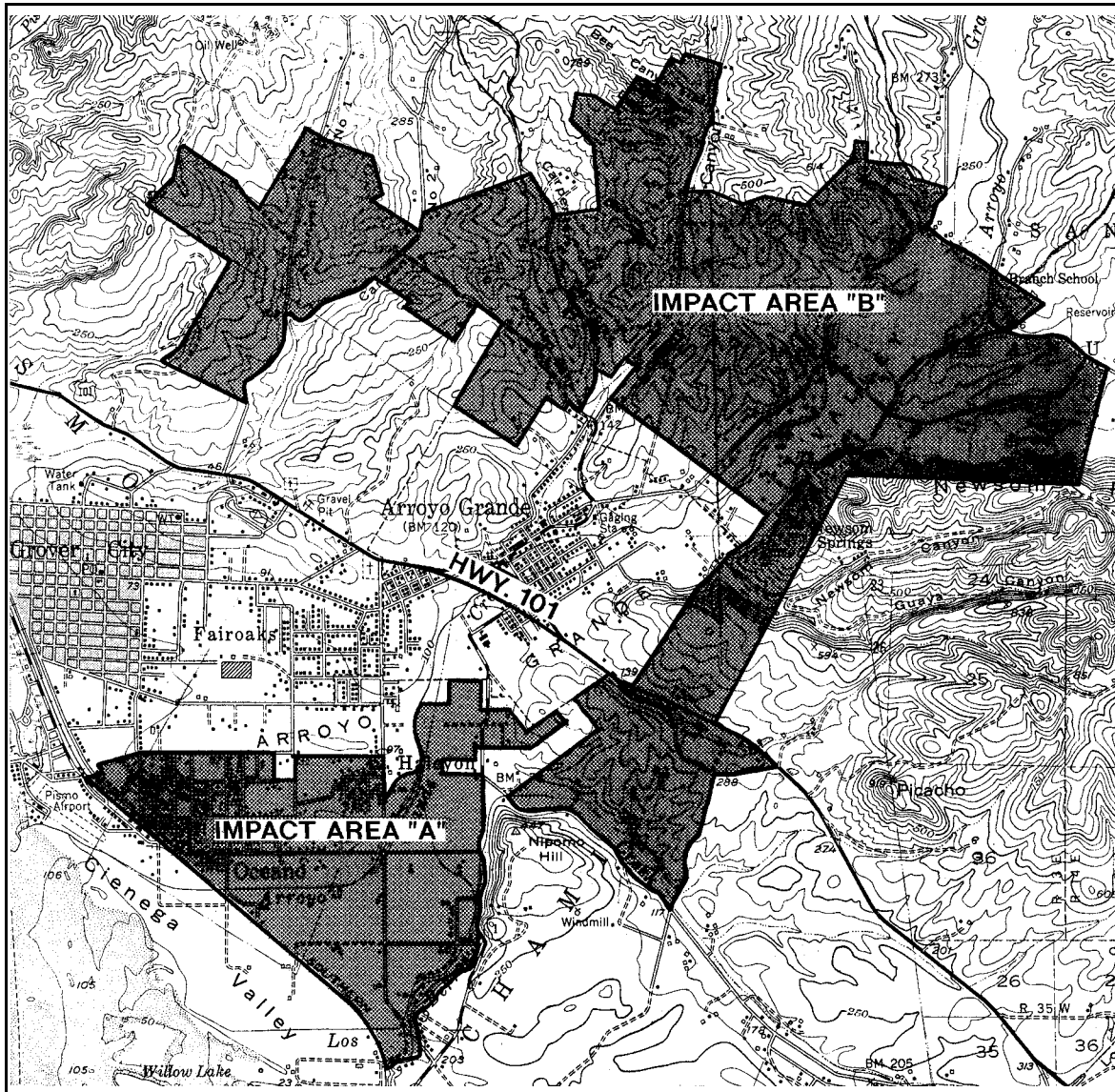


Figure 106-1 - Planning Impact Areas "A" and "B"

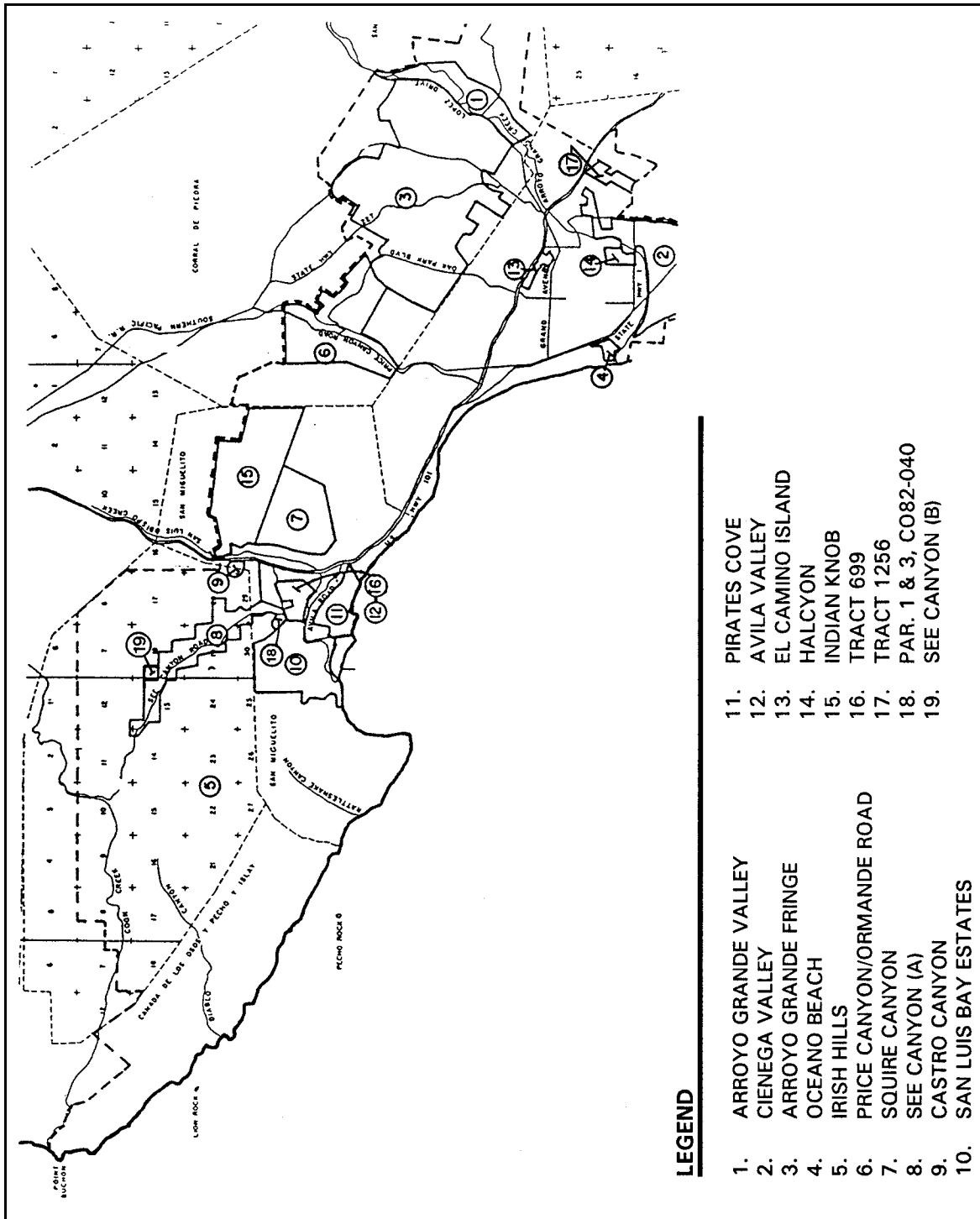


Figure 106-2 - Location Map - San Luis Bay Planning Area

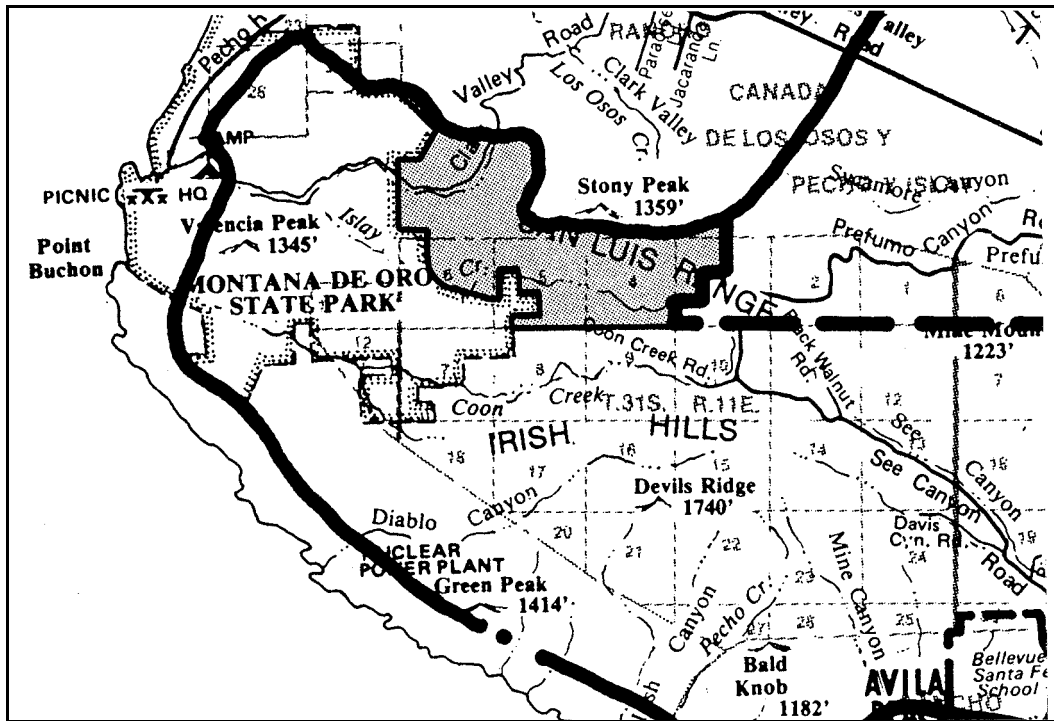


Figure 106-3 - Agriculture Category Excluded from Areawide Standard No. 3

- B. Arroyo Grande and Cienega Valleys - Limitation on use.** Within the Arroyo Grande and Cienega Valleys (see Figure 106-2), land uses shall be limited to the following, in compliance with the land use permit requirements of Section 22.06.030: agricultural accessory structures; crop production and grazing; animal keeping; farm support quarters; single-family dwellings; mobile homes; temporary dwellings; roadside stands; outdoor retail sales; public safety facilities; pipelines and transmission lines.

[Amended 1983, Ord. 2133; 1989, Ord. 2399.]

- C. Combining Designation standards.** The following standards apply within the applicable combining designation.

1. Airport Review Area (AR)

- a. Airport Land Use Plan included by reference.** The adopted Oceano County Airport Land Use Plan is hereby incorporated into this Title by reference as though it were fully set forth here.
- b. Limitation on uses within Airport Review Area.** Allowable uses are limited to those designated as "compatible" or "conditionally approvable" by the Oceano County Airport Land Use Plan.

- c. **Site Design and development standards - Private lands.** All development applications for the area within the boundary of the Oceano County Airport Land Use Plan shall comply with the development standards in that plan, in addition to all applicable provisions of this Title. In the event of conflicts between the provisions of the Airport Land Use Plan and this Title, the more restrictive provisions shall prevail. [Amended 1984, Ord. 2206.]

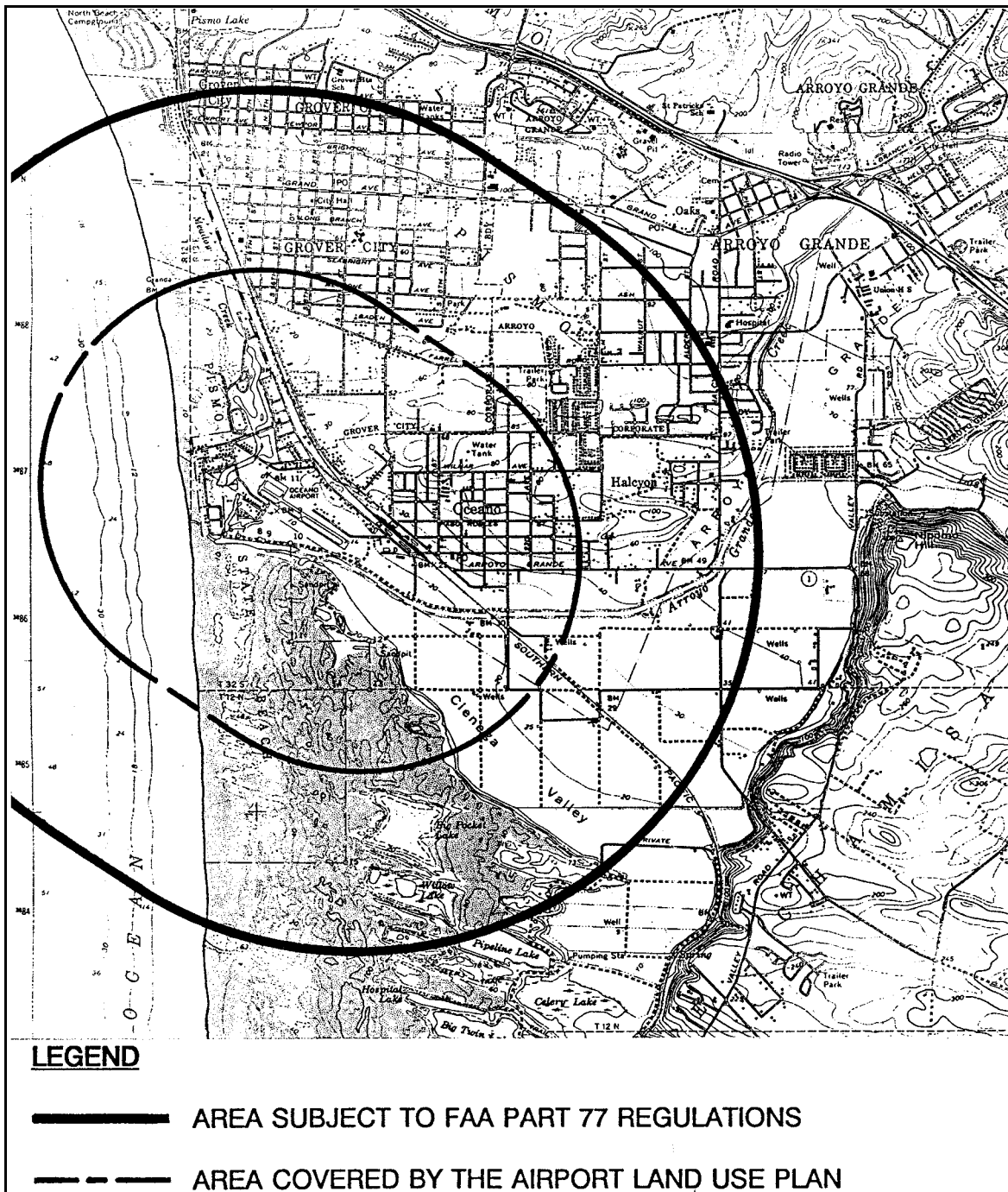


Figure 106-4 - Airport Review Area - Oceano County Airport

2. **Energy and Extractive Resource Areas (EX) - Permit requirement for Price Canyon Oilfield.** Conditional Use Permit approval is required for any expansion of existing oilfield operations in Price Canyon, Tiber Canyon and in the hills off Ormonde Road into adjacent land use categories.
3. **Sensitive Resource Areas (SRA).**
 - a. **Site Planning - Conditional Use Permit Projects.** Projects requiring Conditional Use Permit approval shall concentrate proposed uses in the least sensitive portions of properties. Native vegetation shall be retained as much as possible.
 - b. **Indian Knob - Required plant species inventory.** Prior to approval of any land use permit in the Indian Knob area (see Figure 106-2) a site survey shall be conducted to accurately locate the extent of the rare shrub, *Eriodictyon Altissimum*. Proposed development shall be located such that the subject plant is preserved.
 - c. **Upper Diablo Canyon - Access limitation.** Further construction of access roads through upper Diablo Canyon (see Figure 106-2) is prohibited.
 - d. **Upper Diablo Canyon - Transmission lines.** Future transmission lines in upper Diablo Canyon (see Figure 106-2) shall be confined to the existing corridor. All exposed grading cuts (except for actual roadways and structure sites) and areas of vegetation removal shall be graded and replanted to blend with existing terrain.
 - e. **Pismo Beach Hillsides (SRA).** (See Figure 106-5)
 - (1) **Permit requirement.** Conditional Use Permit approval is required for oil and gas production facilities. Each application shall comply with the following criteria before acceptance.
 - (2) **Application content.** Provide a visual analysis in the form of topographic maps with lines of sight, cross sections, photographs and other supporting documentation that demonstrate that the project will comply with the site development standards in Subsection C.3.e(3).
 - (3) **Site development standards.**
 - (a) Proposed facilities above the 200-foot elevation, including cut and fill banks, tanks, stacks, and chimneys shall be located so that at least 90 percent of the site is screened by existing topography from view within the City of Pismo Beach and Highway 101. Created topography and vegetation as detailed by plans can be considered to complete the existing "screening" using native vegetation where possible and conform to naturally occurring topographic trends. Exploration and production facilities shall not be allowed in the unobstructed visible hillside above the 200-foot elevation.

- (b) Proposed access roads shall have the minimum feasible cross slopes and visibility, with a maximum road cut of five feet maintained wherever possible in visible areas. Prepare a grading, erosion control and landscaping plan, emphasizing vegetation to screen all visible cut and fill slopes.
- (c) Any new application that proposes facilities at any site other than an existing developed location, must demonstrate through a combination of technical and economic analysis not including proprietary information to the industry that new facilities cannot be reasonably incorporated into existing developed locations.
- (d) Steam generators and other venting equipment shall incorporate the best available technology to minimize the appearance of a smoke or steam plume.
- (e) Steam generators and other equipment that cause smoke or steam, and production facilities for oil resources having high concentrations of sulphur compounds, shall not be emitted within 1,000 feet of a residence and the Pismo Beach City limits.
- (f) Normal workover procedures should not exceed the average maintenance cycle, with the exception of breakdowns and emergencies that are verified to the Director through the Division of Oil and Gas' closest office to the well location.

[Amended 1985, Ord. 2215]

D. Residential Rural (RR). The following standards apply within the Residential Rural land use category.

1. **Parcel Size - See Canyon (A).** The minimum parcel size for new land divisions in the Residential Rural land use category located in See Canyon (A and B) (see Figure 106-2) is 10 acres.
2. **Standards - See Canyon (B).** The following standards apply to development and division of Parcels 1-3 of Parcel Map CO 96-0085 as shown on Figure 106-2 as See Canyon (B).
 - a. **Building envelopes.** Designated building envelope(s) shall be required for each allowable lot. The building envelope(s) shall be located outside of the oak and chaparral covered slopes and environmentally sensitive areas, so as to minimize the following types of impacts: oak tree and other vegetation removal, topographic alteration (for both access roads and building sites), and visual impacts. The building envelope(s) shall not extend beyond the existing grassland/pasture area.

- b. **Riparian setbacks.** The designated building envelope(s) shall be at least 50 feet from the edge of the riparian corridor. The only activities allowed within 50 feet of the edge of the riparian corridor are those related to approved erosion control, necessary access and revegetation.
- c. **Water supply.** The Tentative Map application shall include evidence that adequate water is available on the site(s), including a static and recovery pump test that shows an adequate recovery time for each well proposed to serve the land division. If a shared well is used to serve the proposed parcels, an agreement shall be recorded that specifies each parcel's right to the water.

[Amended 1996, Ord. 2760; 2007 Ord. 3120]

- 3. **Maximum density - CO 82-040, Parcels 1 and 3.** (See Figure 106-2). The maximum allowable density for new land divisions shall be one unit per five acres (no secondary units shall be allowed), unless Chapter 22.22 would otherwise require a larger minimum parcel size. The allowable lots shall be clustered outside of environmentally sensitive areas in compliance with Section 22.22.140 (Cluster Division), or if clustering is not used, building sites shall be located in the least environmentally sensitive areas consistent with an environmental constraints analysis and previously approved building sites. Future parcels or building sites shall be designed to use combined access with the existing access from See Canyon Road and shall also minimize the following types of impacts: wastewater disposal, water availability, oak tree removal, visual impacts (including landscape screening), topographic alteration and archeological resources.

[Amended 1994, Ord. 2686]

- 4. **Alisos Road.** The following standards apply to the site as shown in Figure 106-6 as Alisos Road area A and B.
 - a. **Parcel size.** The minimum parcel size for new land divisions in Alisos Road areas A and B shall be 10 acres unless Chapter 22.22 would otherwise require a larger minimum parcel size.
 - b. **Density limitation.** Residential density in Alisos Road area A shall be limited to a maximum of one primary single family residence for each 10 acre parcel. No secondary residences shall be allowed.
 - c. **New land divisions.**
 - a. New divisions in Alisos Road area A shall share the existing driveway access.
 - b. An open space easement shall be recorded that covers all prime soils and riparian vegetation prior to recordation of the final parcel or tract map.

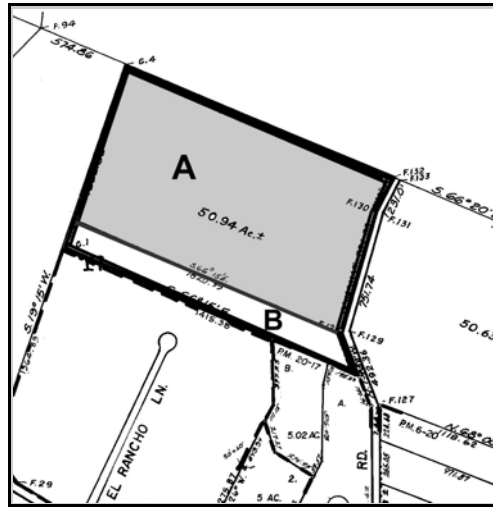


Figure 106 - RR - Alisos Road

- c. Prior to acceptance of an application for land division as complete, building sites shall be designated on the tentative map that are not located within 100 feet of prime soils and riparian vegetation.
- d. Prior to acceptance of an application for land division as complete, an archaeological surface survey shall be prepared for areas where disturbance is proposed. In the event sensitive areas are encountered, any necessary additional work shall be performed and all feasible measures shall be incorporated into the ground disturbing activities to minimize impacts to the greatest extent possible.

[Added 2003, Ord. 3003]

E. Residential Suburban (RS). The following standards apply within the Residential Suburban land use category.

- 1. **Squire Canyon.** The following standards apply to the Residential Suburban land use category in Squire Canyon (see Figure 106-2).
 - a. **Density limitation.** Residential density shall be limited to a maximum of one family per three acres.
 - b. **Limitation on use.** Land uses in the area northeast of the intersection of Squire Canyon and Indian Knob roads shall be limited to the following (as required by Ordinance 824): agricultural accessory structures; crop production and grazing; communications facilities; animal keeping; animal facilities (with the only use limited to keeping not more than six adult dogs per parcel, with a kennel license being required for raising more than four adult dogs, in compliance with County Code Section 9.04.120); home occupations; residential accessory uses; single-family dwellings; temporary dwellings; pipelines and transmission lines.

[Amended 1989, Ord. 2399].

2. **Tract 1256.** The following standards apply only to the Residential Suburban category in Tract 1256 south of Arroyo Grande (see Figure 106-2).

- a. **Parcel size.** The minimum allowable parcel size for new land divisions is 2.5 acres, unless Chapter 22.22 would otherwise require larger sizes.

[Amended 1986, Ord. 2257; 2006, Ord. 3097]

- F. **Rural Lands (RL).** The following standards apply within the Rural Lands land use category.

1. **Irish Hills - Limitation on use.** Land uses within the Irish Hills (see Figure 106-2) shall be limited to the following, in compliance with the land use permit requirements of Section 22.06.030: ag accessory structures; animal facilities; crop production and grazing; nursery specialties; communications facilities; animal keeping; residential accessory uses; single-family dwellings; mobile homes; temporary dwellings; roadside stands; outdoor retail sales; accessory storage; pipelines and transmission lines.

[Amended 1982, Ord. 2106; 1989, Ord. 2399]

2. **Oak Park Road - Proposed private school.** Development of the private high school on Oak Park Road east of Highway 101 (Parcel C of CO 78-249) shall comply with the Conditional Use Permit approved in 1979.

22.106.030 - Arroyo Grande Fringe Area Standards

The following standards apply within the area of the Arroyo Grande Fringe (identified on the San Luis Bay Planning Area maps) to the land use categories or specific areas listed, in addition to the San Luis Bay areawide rural standards. The area standards respect and mitigate special site potentials and constraints, ensure new land divisions compatibility with present and potential adjacent land uses within the context of the area's suburban character and ensure that developments are designed to provide safe vehicular movement.

A. Residential Rural (RR). The following standards apply within the Residential Rural land use category.

1. **Limitation on use.** Land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses in the RR land use category may be authorized in compliance with the land use permit requirements of that Section, except farm equipment and supplies; animal facilities; small-scale manufacturing; correctional institutions; and airfields and landing strips.
2. **New land divisions.**
 - a. New divisions of parcels fronting Highway 227 shall be designed so that access to homesites is from a local internal street rather than directly to the state highway.
 - b. Prior to acceptance of an application for land division as complete, the applicant shall provide information to demonstrate to the satisfaction of the Director, in consultation with, the Director of Environmental Health and the Environmental Coordinator that: (1) adequate groundwater resources are available to serve the proposed land division and (2) each proposed parcel can accommodate an individual sewage disposal system. The results of this information shall be incorporated into the design and proposed density of the land division. [Amended 1993, 2646]

B. Residential Suburban (RS). The following standards apply within the Residential Suburban land use category.

1. **Limitation on use.** Land uses identified by Section 22.06.030 as allowable, permitted, or conditional in the RS land use category may be authorized in compliance with the land use permit requirements of that Section, except nursing and personal care, and correctional institutions.
2. **Animal facilities.** Land use permit applications for animal facilities shall address and mitigate any identified impacts of erosion and downstream sedimentation that would be caused by the establishment of the facilities.
3. **New land divisions.** Prior to acceptance of any application for land division as complete, the applicant shall provide information to demonstrate to the satisfaction of the Director, in consultation with, the Director of Environmental Health that: (1) adequate groundwater resources are available to serve the proposed land division and (2) each proposed parcel can accommodate an individual sewage disposal system. The results of this information shall be incorporated into the design and proposed density of the land division.

[Amended 1993, Ord. 2646]

22.106.040 - Arroyo Grande Urban Area Standards

The following standards apply within the City of Arroyo Grande urban reserve line (but outside the city limits) to the land use categories or specific areas listed.

- A. Residential Multi-Family (RMF) - Density limitation.** Within the Residential Multi-Family land use category, new residential uses shall exceed a maximum density of 26 units per acre.
- B. Residential Single-Family (RSF).** The following standards apply within the Residential Single-Family land use category.
 - 1. Annexation required.** The areas at the end of Woodland Drive and along Farroll Avenue shall be annexed to the City of Arroyo Grande prior to any development requiring extension of City services.
 - 2. Development standards.** All proposed developments shall comply with applicable on and off-site improvement standards of the City of Arroyo Grande.

22.106.050 - Avila Beach Urban Area Standards

The following standards apply within the Avila Beach urban reserve line to the land use categories or specific areas listed. Avila Beach urban area standards are grouped by those applicable to Avila Valley and San Luis Bay Estates.

A. Avila Valley. The following standards apply only to Avila Valley (see Figure 106-2), to the land use categories or specific areas listed.

1. **Communitywide - Avila Beach Drive and San Luis Bay Drive Level of Service.** The level of service (LOS) for Avila Beach Drive and San Luis Bay Drive shall be based on the average hourly weekday two-way 3:00 p.m. to 6:00 p.m. traffic counts to be conducted during the second week in May of each year.

[Amended 1994, Ord. 2702]

2. **Commercial Retail (CR).** The following standards apply within the Commercial Retail land use category.

- a. **Limitation on use.** Land uses shall be limited to highway and tourist oriented uses.
- b. **Permit requirement.** Conditional Use Permit approval is required for all uses.
- c. **Access - Commercial site at San Luis Bay Drive and Highway 101.** Primary access to the commercial site shall be from San Luis Bay Drive.

3. **Open Space (OS) - Riparian vegetation.** Within the Open Space land use category, riparian vegetation shall be retained along the creek.

4. **Recreation (REC).** The following standards apply within the Recreation land use category.

- a. **Pacific Coast Railroad right-of-way.** Allowable uses are limited to the proposed railroad line, bicycle and hiking trails. Construction of the proposed railroad shall be authorized by Conditional Use Permit approval.
- b. **RV park expansion.** The existing camper park south of San Luis Obispo Creek is not to be expanded into the creek floodplain.
- c. **Sycamore Hot Springs - Development standards.** Continuing expansion of existing facilities shall occur in accordance with the approved Conditional Use Permit. The area north of Avila Road may be developed with low intensity recreation and open space uses (see Subsections A.4.d(1) through d(3)).

[Amended 1981, Ord. 2075]

- d. Avila Road.** The following standards apply to the area bounded by San Luis Obispo Creek on the north, San Luis Bay Drive on the west, Ontario Road on the east and Avila Beach Drive on the south, except for the area shown in Figure 106-7.
- (1) Limitation on use.** Land uses shall be limited to those uses identified by Section 22.06.030 as being allowable, permitted, or conditional uses in the Open Space land use category, with the addition of the uses included under the definition of outdoor sports and recreation.
 - (2) Permit requirements.** Conditional Use Permit approval is required for all uses.
 - (3) Flood protection.** Structural uses shall be protected from flooding or clustered on contiguous parcels under the same ownership.

[Amended 1981, Ord. 2075; 1989, Ord. 2399; 1993, Ord. 2646]

- e. Intersection of Ontario Road and Avila Beach Drive.** The following standards apply to the area at the intersection of Ontario Road and Avila Beach Drive shown in Figure 106-7.
- (1) Limitation on use.** Land uses shall be limited to those identified by Section 22.06.030 as allowable, permitted, or conditional uses in the Open Space land use category, with the addition of: libraries and museums, outdoor sports and recreation, restaurants, grocery stores, and roadside stands.
 - (2) Permit requirements.** Minor Use Permit approval is required for all new uses proposed in existing structures. Conditional Use Permit approval is required for all new uses that propose any additional structures. Land use permit applications shall include a review of potential traffic impacts to Avila Beach Drive and the intersection of Avila Beach Drive and Ontario Road.
 - (3) Site design criteria.** Commercial development (existing and proposed structures) shall be limited to a total of 6,000 square feet. All development shall be located at least 100 feet from the upland extent of riparian vegetation. All structures shall be located outside of the Flood Hazard Combining Designation

[Amended 1993, Ord. 2634]

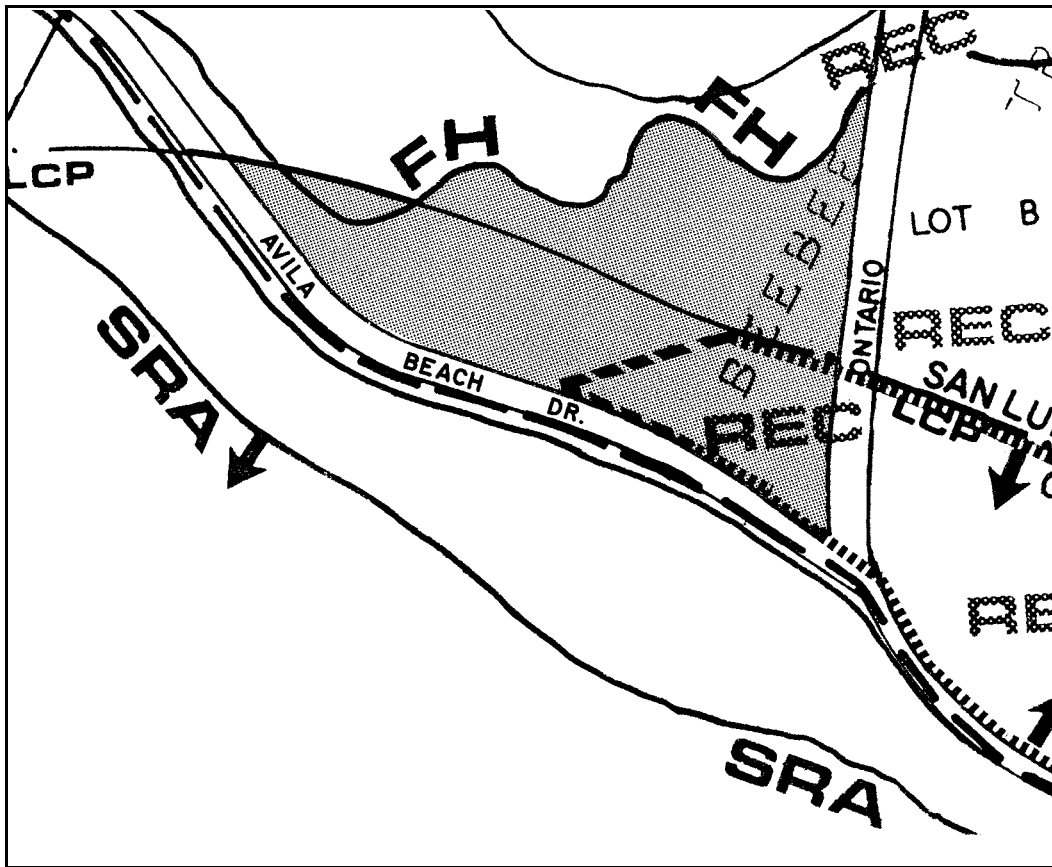


Figure 106-7 - Intersection of Ontario Road and Avila Beach Drive

- f. **Tract 699 - Offer of dedication.** Lot 31 of Tract 699 along San Miguelito Creek has been offered for dedication to the County for future recreational and open space purposes. Until such time as the offer of dedication is accepted by the County, private use of this area shall not hinder or preclude potential future public recreational and open space use and shall not disturb riparian vegetation [Amended 1988, Ord.2353].
5. **Residential Suburban (RS).** The following standards apply within the Residential Suburban land use category.
 - a. **Limitation on use.** Land uses identified by Section 22.06.030 as being allowable, permitted, or conditional uses in the RS land use category may be authorized in compliance with the land use permit requirements of that Section, except: cemeteries and columbariums; child day care centers and family day care homes; forestry; grocery stores; mobile home parks; nursery specialties; nursing and personal care; residential care; restaurants; rural recreation and camping; schools, elementary and secondary.

- b. **Permit requirement.** Conditional Use Permit approval is required for all uses (except secondary dwellings) prior to approval of a Tentative Map for land division. Preservation of existing views and scenic values are factors to be considered in the Review of the Conditional Use Permit.
- c. **Application content.** Conditional Use Permit applications shall include sufficient information to determine the proper method of sewage treatment and disposal based on site characteristics.
- d. **Site planning.** Proposed projects shall be planned in compliance with the cluster division provisions of Section 22.22.140. The minimum size for new parcels is 10,000 square feet, or as otherwise required by the method of sewage disposal to be used. Density credits will be given for open space and hazard lands, except for land within actual flood channels.
- e. **Tract 699.** The following standards apply to Tract 699, in addition to the standards in Subsections A.5.a through A.5.d, where applicable.
 - (1) **Density limitation - Land divisions.** Net density for Lot 28, including any open space lot subsequently created, is not to exceed one dwelling unit per 3.3 acres, consistent with sewage disposal requirements. Lot 31, the area offered for dedication to the County for open space and recreation purposes, shall have no dwelling unit entitlement. No other lots within Tract 699 shall be re-subdivided or split into lots of lesser size than the original lot.
 - (2) **Location requirements.** Development of Lot 28 shall be primarily located east of a line extending along the north-south ridge running through the property, with landscape screening where needed, so that development is generally out of view of San Luis Bay Drive. A maximum of three dwelling units may be located west of the north-south ridge, subject to the following criteria.
 - (a) Development shall be partially screened from San Luis Bay Drive with landscaping conforming to the character of the natural landscape of the surrounding area.
 - (b) As part of the required Conditional Use Permit application, a visual analysis shall be prepared by a consultant approved by the Environmental Coordinator that analyzes three dimensional building envelopes for dwellings and accessory structures. A conceptual grading analysis shall also be prepared. The conceptual grading analysis and visual analysis shall demonstrate that the following criteria are met.
 - i. All structures shall be located so that they do not extend above the horizon line of the ridgeline as viewed from San Luis Bay Drive.

- ii. Grading shall be minimized and retaining walls greater than three feet in height and all graded slopes shall not be visible from San Luis Bay Drive.
- iii. Setbacks from San Luis Bay Drive shall be maximized, but in no case shall structures be closer than 50 feet from San Luis Bay Drive.

(3) Permit requirement. Minor Use Permit approval is required for all uses except secondary dwellings prior to any grading or construction, to ensure compliance with the objectives and requirements of the approved Conditional Use Permit. Minor Use Permits are subject to the following criteria.

- (a) Plans shall be approved by the Architectural and Planning Board for Avila Valley Estates prior to submittal to the Department.
- (b) Buildings shall be placed within required building site envelopes unless an exception is approved through the required Minor Use Permit approval process.
- (c) Plans shall include grading plans which shall minimize grading and prohibit alteration of established drainage patterns.
- (d) Structures are limited to a single story unless proposals for taller structures will not appreciably increase obstruction of views and reduction of scenic values. Multi-level structures may be appropriate to reduce grading on sloping sites.
- (e) Design and landscaping shall harmonize with the natural landscape. Accessory uses, structures, and activities which conflict with natural aesthetic values shall be prohibited.
- (f) Plans shall include septic systems approved by the County Public Works and Health Departments. Engineered specialized septic systems shall be used unless conventional systems meet the conditions of tract map approval.

(4) Circulation and access. Development on Lot 28 which generates additional traffic shall contribute a proportional share of fees and/or improvements to mitigate cumulative traffic impacts (as determined by a comprehensive traffic study prepared by the applicant or made available by others during the environmental review for the required Conditional Use Permit or subdivision application) on Avila Road and San Luis Bay Drive, if necessary. Traffic mitigation fees shall be required either as part of discretionary approvals or upon adoption of an ordinance establishing traffic mitigation fees.

Access for development on Lot 28 shall be provided by no more than two road connections to San Luis Bay Drive. The road connections shall be aligned with existing intersections where feasible and shall maximize sight distances.

(5) Mitigation of land use conflicts. In order to mitigate potential land use conflicts between agricultural activities, the adjacent elementary school and proposed residential development, the required Conditional Use Permit for development on Lot 28 of Tract 699 shall address animal keeping, crop production and grazing and animal facilities uses. The criteria in the following items (a) through (d) shall be incorporated into the project design and/or conditions of approval of the Conditional Use Permit. Item (e) shall be addressed during the environmental review for the Conditional Use Permit.

- (a) A buffer area and fencing between agricultural uses and the elementary school shall be established as approved by the Director, the Agricultural Commissioner, and the San Luis Coastal Unified School District.
- (b) Animal densities shall be determined and barns, stables and animal enclosures shall be located away from the elementary school to minimize health, safety and nuisance impacts, in a manner approved by the Director in consultation with the County Environmental Health Division, and the San Luis Coastal Unified School District.
- (c) Agricultural practices will be governed by the Agricultural Commissioner's Office to ensure compliance with all applicable regulations and requirements regarding the use of restricted pesticides. Restricted pesticides shall only be used in accordance with a current restricted materials permit issued by the County Agricultural Commissioner.
- (d) Agricultural practices shall comply with all applicable requirements of the Water Quality Control Plan, Central Coast Basin regarding limiting water quality impacts to San Miguelito/San Luis Obispo Creek.
- (e) During environmental review, a plan shall be submitted by the applicant incorporating measures for minimizing potential impacts of nonrestricted pesticide use on the elementary school and proposed residential development. The plan shall be reviewed in consultation with the San Luis Coastal Unified School District and the County Agricultural Commissioner.

[Amended 1981, Ord. 2075; 1982, Ord. 2106; 1987, Ord. 2331; 1988, Ord. 2353; 1989, Ord. 2399; 1993, Ord. 2646; 2006, Ord. 3097]

6. **Rural Lands (RL).** The following standards apply within the Avila Valley Rural Lands land use category.
 1. **Permit requirement.** Conditional Use Permit approval is required for all uses adjacent to Avila Road.
 2. **Open space preservation.** New development proposals shall include provisions for guaranteeing preservation of the steep wooded slopes south of Avila Road extending to Ontario Ridge. Guarantees of open space preservation may be in the form of agreements, easements, contracts or other appropriate instrument, provided that such guarantee is not to grant public access unless desired by the property owner.
- B. **San Luis Bay Estates.** The following standards apply within the San Luis Bay Estates project (see Figure 106-8), to the land use categories or specific areas listed.
 1. **Areawide standards.** The following standards apply within the San Luis Bay Estates project that are not limited to a single land uses category.
 - a. **Master Use Permit included by reference.** The approved Master Use Permit for San Luis Bay Estates, as amended by the Local Coastal Program Land Use Plan and as it may be amended in the future by the Commission or Board is hereby incorporated into this Title as though it were fully set forth here. All development within the Master Use Permit area (see Figure 106-8) shall comply with the adopted Master Use Permit, as amended by the Local Coastal Program Land Use Plan (see Figure 106-8 for the San Luis Bay Estates Master Use Permit map). In the event of any conflict between the provisions of this Title and the Master Use Permit, the Master Use Permit shall take precedence. Any deviation of existing or proposed development from the provisions of the Master Use Permit shall occur only after appropriate amendment of the Master Use Permit. All references in the Master Use Permit to Site Plan Review approval shall be construed as Minor Use Permit approval in compliance with Section 22.02.033.
 - b. **Density limitation.** Net residential density for the entire project area shall be within the range of the Residential Suburban land use category, not to exceed one dwelling unit per acre.
 - c. **Lot sales.** All sales programs shall be administered from the project sales office in the commercial village.
 - d. **Open space preservation.** Approval of an application for land division, Minor Use Permit or Conditional Use Permit approval is contingent upon the applicant executing an agreement with the County to maintain portions of the site not proposed for development in open space use. Guarantees of open space preservation shall be in the form of agreements, easements, contracts or other appropriate instrument.

- e. **Site planning.** New development shall utilize the cluster division provisions of Section 22.22.140 (Cluster Division).

[Amended 1987, Ord. 2321; 1987, Ord. 2331]

- 2. **Commercial Retail (CR).** The following standards apply within the San Luis Bay Estates Commercial Retail land use category.

- a. **Limitation on use.** Land uses in the commercial village shall be limited to bars and night clubs, convenience and liquor stores, financial services, general retail, grocery stores, health care services, offices, personal services, public assembly and entertainment, and restaurants.
- b. **Permit requirement.** Conditional Use Permit approval is required for the commercial "village."
- c. **Location criteria - Commercial uses.** Commercial uses shall be located north of the main access road, west of San Luis Bay Drive.

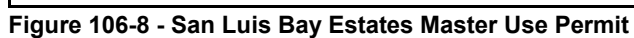
[Amended 1987, Ord. 2321; 1989, Ord. 2399]

- 3. **Open Space (OS) - Density calculations.** Within the San Luis Bay Estates Open Space land use category, the parcel lying southerly of Avila Road shall be included in overall project density calculations to determine the required open space acreage for the entire project under the cluster division provisions of this Title.

- 4. **Recreation (REC).** The following standards apply within the San Luis Bay Estates Recreation land use category.

- a. **Limitation on use.** Land uses shall be limited to the following, in compliance with the land use permit requirements of Section 22.06.030: accessory storage; bars and night clubs; caretaker residence; convenience and liquor stores; grocery stores; hotels and motels; indoor amusements and recreation; outdoor sports and recreation; pipelines and transmission lines; public safety facilities; restaurants; rural recreation and camping; temporary events.
- b. **Floodplains.** Floodplain areas containing natural habitats shall be preserved in their natural state.
- c. **Trails.** New residential and commercial development shall be accompanied by construction of trails adjacent to San Luis Obispo Creek connecting the Avila Valley and Avila Beach recreation areas.

[Amended 1987, Ord. 2321; 1989, Ord. 2399]



5. **Residential Suburban (RS).** The following standards apply within the San Luis Bay Estates Residential Suburban land use category.
- a. **Limitation on use.** Land uses within the residential clusters shall be limited to: home occupations; residential accessory uses; single-family dwellings; temporary dwellings; public safety facilities; public utility facilities; pipelines and transmission lines and storage accessory. The range of uses allowed shall be further refined through preparation of the project Master Use Permit, so that uses will be compatible with the character of each cluster.
 - b. **Permit requirement.** Conditional Use Permit approval is required for each proposed residential cluster. Application materials submitted shall include details of siting, grading, structure locations, circulation within the cluster and connection to the overall circulation system, in addition to items required in the Master Use Permit.
 - c. **Site area.** Where dwellings shall be built as multi-family units, the minimum area of buildable lots may be as small as 2,500 square feet.

[Amended 1987, Ord. 2321; 1989, Ord. 2399]

22.106.060 - Grover Beach Urban Area Standards

Lands in the Residential Single-Family land use category within the Grover Beach urban reserve line north of The Pike and east of the existing city limits shall be annexed to Grover Beach prior to the approval of any development requiring extension of City services.

22.106.070 - Oceano Urban Area Standards

The following standards apply within the Oceano urban reserve line to the land use categories or specific areas listed.

A. Communitywide. The following standards apply to all land use categories inside the Oceano Urban Reserve Line.

1. Oceano Specific Plan Included by Reference. The 2001 Oceano Specific Plan, and any amendments made thereto, is hereby incorporated into this Title as though it were fully set forth here. All development within the Oceano Specific Plan planning area, which coincides with the Oceano Urban Reserve Line, is to be in conformity with the adopted Specific Plan, in addition to any applicable planning area standards. In the event of any conflict between the provisions of this Chapter and the Specific Plan, the Specific Plan shall control. Any deviation of existing or proposed development from the provisions of the Specific Plan is to occur only after appropriate amendment of the Specific Plan. [Added 2002, Ord. 2968]

2. Curb, gutter and sidewalk required. Curb, gutter and sidewalk is required with any project in the Ocean urban area, excluding the Halcyon area as shown on Figure 106-2, in all land use categories.

a. When required.

(1) Curb, gutter and sidewalk in the Industrial, Commercial Retail and Service, Office and Professional, and Residential Multi-Family land use categories is required to be installed as set forth in this section when such improvements do not already exist, and:

(a) The value of any new structures or changes to existing structures, items or equipment (that add value to the property but would be exempt from a construction permit or would not be subject to a “valuation” by the department) proposed during a period of 12 months (as indicated by all building permits issued for the site during the 12-month period) exceed 25 percent of the total of all improvements existing on the site as determined by the assessment roll or by a current appraisal. The appraisal shall be completed by an appraiser with a “Certified General License” issued by the State Office of Real Estate Appraisal and shall determine full market value of the parcel, allocating for land and existing site improvements based on the Uniform Standards of the Professional Appraisal Practices as published by the Appraiser Standards Board of the Appraisal Foundation. Both of these methods shall be determined at the time of the first building permit (within the 12-month period) is applied for.

(b) A new structure is moved on to a site (rather than constructed in place).

- (2) Curb, gutter and sidewalk in all other land use categories is required to be installed as set forth in this section when such improvements do not already exist, and:
 - (a) The value of any new structures exceed 25 percent of the total of all improvements existing on the site as determined by the assessment roll or by a current appraisal. The appraisal shall be completed by an appraiser with a "Certified General License" issued by the State Office of Real Estate Appraisal and shall determine full market value of the parcel, allocating for land and existing site improvements based on the Uniform Standards of the Professional Appraisal Practices as published by the Appraiser Standards Board of the Appraisal Foundation. Both of these methods shall be determined at the time of the first building permit (within the 12-month period) is applied for.
 - (b) More than 25 percent of the square footage of an existing structure is demolished and replaced.
 - (c) More than a 20 percent expansion of square footage of an existing structure is added.
 - (d) A new structure is moved on to a site (rather than constructed in place).
 - (3) Curb, gutter and sidewalk is required to be installed in new land divisions, in compliance with Title 21 of the County Code.
- b. **Extent of improvements.** Curb, gutter and sidewalk improvements are to be constructed along the entire street frontage(s) of the site, and also along the street frontage of any adjoining lots in the same ownership as the site.
 - c. **Exceptions.** Curb, gutter and/or sidewalk may be waived, modified or delayed as set forth in Section 22.54.030 of this Title.
 - d. **Design and construction.** Curb, gutter and sidewalk improvements shall be designed and constructed as set forth in Section 22.54.030 of this Title. Where there is existing curb, gutter and sidewalk, Public Works may determine that the existing improvements have deteriorated so as to be unusable, or are improperly located, and that reconstruction of such street frontage improvements is required.
 - e. **Timing of installation.** Curb, gutter and sidewalk improvements shall be completed as set forth in Section 22.64.090 (Project Completion), Section 22.64.110 (Occupancy with Incomplete Site Improvements) prior to occupancy, or Section 22.54.030G (Encroachment Permit Fee and Agreement Required) of this Title.

[Added 2001, Ord. 2944]

B. Combining Designations - Airport Review Area (AR).

1. **Limitation on uses within Airport Review Area.** Land uses shall be limited to those designated as "compatible" or "conditionally approvable" by the adopted Oceano County Airport Land Use Plan.
2. **Site design and development standards - Airport site.** New development projects in County-owned portions of the site of the Oceano County Airport shall be consistent with the adopted Airport Use Permit, and shall comply with all applicable provisions of the airport lease site standards instead of the provisions of Articles 3 and 4 of this Title.
3. **Site design and development standards - Private lands.** All development applications for the area within the boundary of the adopted Oceano County Airport Land Use Plan are subject to the development standards set forth in that plan, in addition to all applicable provisions of this Title. In the event of conflicts between the provisions of the Airport Land Use Plan and this Title, the more restrictive provisions shall prevail.

[Amended 1984, Ord. 2206]

C. Commercial Retail (CR)

1. **Permit requirement.** Minor Use Plan approval is required for all new construction or exterior alteration of existing structures where a land use permit is otherwise required by this Title, except for the following:
 - a. Minor exterior alterations, as well as expansions not to exceed 10 percent of the existing floor area, may be exempted from this requirement by the Director of Planning and Building. Such projects are still subject to other applicable requirements.
 - b. Exterior facade remodeling and expansions that exceed 10 percent of the existing floor area may be approved as "minor" Minor Use Permits if they are determined to be categorically exempt from the California Environmental Quality Act by the Director of Planning and Building and are in conformance with the Oceano Specific Plan.
 - c. New uses that are proposed to occupy existing development. Such uses are still subject to other applicable permit requirements.
 - d. Single-family residences and residential accessory structures, and agricultural accessory structures.
 - e. Where Conditional Use Permit approval is otherwise required by this Title.

[Added 2002, Ord. 2968]

D. Commercial Service (CS)

1. **Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the CS land use category may be authorized in compliance with the land use permit requirements of that Section except: drive-in theaters; concrete, gypsum and plaster products; marinas; hotels and motels; marine terminals and piers

[Amended 1986, Ord. 2257; 1987, Ord. 2331]

2. **Permit Requirement.** Minor Use Plan approval is required for all new construction or exterior alteration of existing structures where a land use permit is otherwise required by this Title, except for the following:

- a. Minor exterior alterations, as well as expansions not to exceed 10 percent of the existing floor area, may be exempted from this requirement by the Director of Planning and Building. Such projects are still subject to other applicable requirements.
- b. Exterior facade remodeling and expansions that exceed 10 percent of the existing floor area may be approved as “minor” Minor Use Permits if they are determined to be categorically exempt from the California Environmental Quality Act by the Director of Planning and Building and are in conformance with the Oceano Specific Plan.
- c. New uses that are proposed to occupy existing development. Such uses are still subject to other applicable permit requirements.
- d. Single-family residences and residential accessory structures, and agricultural accessory structures.
- e. Where Conditional Use Permit approval is otherwise required by this Title.

[Added 2002, Ord. 2968]

E. Industrial (IND)

1. **Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the Industrial land use category may be authorized in compliance with the land use permit requirements of that Section except: drive-in theaters; petroleum refining and related industries; petroleum extraction; airfields and landing strips; marine terminals and piers.

2. **Permit Requirement.** Minor Use Plan approval is required for all new construction or exterior alteration of existing structures where a land use permit is otherwise required by this Title, except for the following:

- a. Minor exterior alterations, as well as expansions not to exceed 10 percent of the existing floor area, may be exempted from this requirement by the Director of Planning and Building. Such projects are still subject to other applicable requirements.

- b. Exterior facade remodeling and expansions that exceed 10 percent of the existing floor area may be approved as “minor” Minor Use Permits if they are determined to be categorically exempt from the California Environmental Quality Act by the Director of Planning and Building and are in conformance with the Oceano Specific Plan.
- c. New uses that are proposed to occupy existing development. Such uses are still subject to other applicable permit requirements.
- d. Single-family residences and residential accessory structures, and agricultural accessory structures.
- e. Where Conditional Use Permit approval is otherwise required by this Title.

[Added 2002, Ord. 2968]

F. Recreation (REC) - Limitation on use. Land uses within the Recreation land use category between Highway 1 and the railroad right-of-way shall be limited to recreational vehicle parks in compliance with Ordinance 1215.

G. Residential Multi-Family (RMF). The following standards apply within the Residential Multi-Family land use category.

1. **Permit Requirement.** Minor Use Plan approval is required for all new construction or exterior alteration of existing structures where a land use permit is otherwise required by this Title, except for the following:
 - a. Minor exterior alterations, as well as expansions not to exceed 10 percent of the existing floor area, may be exempted from this requirement by the Director of Planning and Building. Such projects are still subject to other applicable requirements.
 - b. Exterior facade remodeling and expansions that exceed 10 percent of the existing floor area may be approved as “minor” Minor Use Permits if they are determined to be categorically exempt from the California Environmental Quality Act by the Director of Planning and Building and are in conformance with the Oceano Specific Plan.
 - c. New uses that are proposed to occupy existing development. Such uses are still subject to other applicable permit requirements.
 - d. Single-family residences, secondary dwellings and residential accessory structures, and agricultural accessory structures.
 - e. Where Conditional Use Permit approval is otherwise required by this Title.
2. **Maximum Density.** New multi-family development is not to exceed a density of 15 units per acre. Maximum floor area may not exceed 48 percent. This standard does not apply to development proposals accepted for processing by the Department of Planning and Building prior to the effective date of general plan amendments included in the Spring Cycle, 2002. [Amended 2002, Ord. 2968]

- 3. South of Highway 1.** The following standards apply only to the Residential Multi-Family land use category located south of Highway 1.

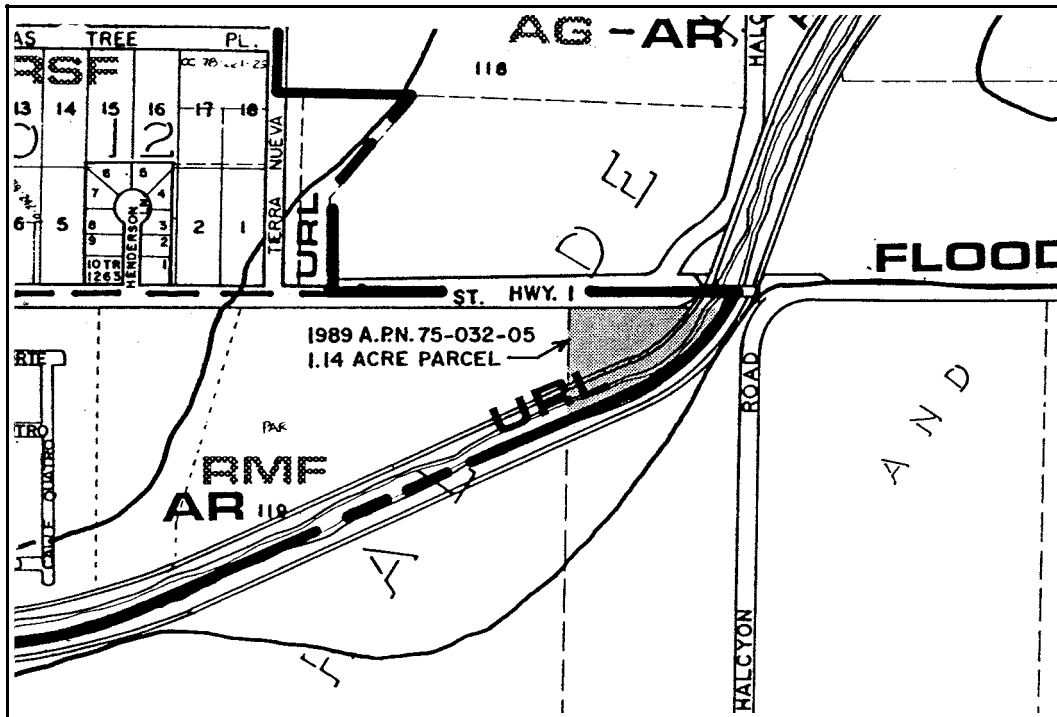


Figure 106-9 - Parcel Near Southwest Corner of Highway 1 & Halcyon Rd. - Oceano

- a. **Limitation on use.** Land uses shall be limited to the following, in compliance with the land use permit requirements of Section 22.06.030: mobile home parks; except that on 1989 Assessor Parcel Number 75-032-05 as shown in Figure 106-9, land uses shall be limited to: animal keeping; crop production and grazing; religious facilities; membership organization facilities; home occupations; one single-family dwelling or mobile home; residential accessory uses; public safety facilities; storage, accessory; pipelines and transmission lines; and public utility facilities. [Amended 1990, Ord. 2443]
- b. **Density calculations.** Portions of property that comprise Arroyo Grande Creek channel and dikes are not to be used in computing overall density in proposed projects.
- c. **Fencing requirement.** Arroyo Grande Creek dikes and channels shall be fenced at the time adjoining properties develop, to prevent resident access from adjacent mobile home and recreational vehicle parks.
- d. **Signs.** Signs shall be for identification purposes only and shall be located at the main entrance to the park. Signs are not to be more than 20 square feet in area, with a maximum height of 10 feet.

H. Residential Single-Family (RSF). The following standards apply within the Residential Single-Family land use category.

1. **Halcyon - Development standards.** All proposed uses within the Halcyon area (see Figure 106-2) shall comply with the provisions of Ordinance 1913.
2. **Southeast Corner of 23rd Street and Wilmar Avenue - Land division standards.** Prior to any division of the property at the southeast corner of 23rd Street and Wilmar Avenue, a subdivision plan indicating ultimate lotting and street layout shall be approved by the Commission as required by Ordinance 1590. Subsequent land divisions shall be consistent with the approved plan.

[Amended 1982, Ord. 2106]

22.106.080 - Pismo Beach Urban Area Standards

The following standards apply within the city of Pismo Beach urban reserve line (but outside the city limits) to the land use categories or specific areas listed.

A. Agriculture (AG) - Location criteria. Any development proposed within the Agriculture land use category shall be located on slopes less than 30 percent.

B. Combining Designations - Pismo Beach Hillsides (SRA).

- 1. Permit requirement.** Conditional Use Permit approval is required for oil and gas production facilities. Each application shall comply with the site development standards in Subsection B.3 before acceptance.
- 2. Application content.** Provide a visual analysis in the form of topographic maps with lines of sight, cross Sections, photographs and other supporting documentation that demonstrate that the project will comply with the site development standards in Subsection B.3.
- 3. Site development standards.**
 - a. Facilities proposed above the 200-foot elevation, including cut and fill banks, tanks, stacks, and chimneys shall be located so that at least 90 percent of the site is screened by existing topography from view within the City of Pismo Beach and Highway 101. Created topography and vegetation as detailed by plans can be considered to complete the existing screening using native vegetation where possible and conform to naturally occurring topographic trends. Exploration and production facilities shall not be allowed in the unobstructed visible hillside above the 200-foot elevation.
 - b. Proposed access roads shall have the minimum feasible cross slopes and visibility, with a maximum road cut of five feet maintained wherever possible in visible areas. Prepare a grading, erosion control and landscaping plan, emphasizing vegetation to screen all visible cut and fill slopes.
 - c. Any new application that proposes facilities at any site other than an existing developed location, must demonstrate through a combination of technical and economic analysis not including proprietary information to the industry that new facilities cannot be reasonably incorporated into existing developed locations.
 - d. Steam generators and other venting equipment shall incorporate the best available technology to minimize the appearance of a smoke or steam plume.
 - e. Steam generators and other equipment that cause smoke or steam, and production facilities for oil resources having high concentrations of sulphur compounds, shall not be emitted within 1,000 feet of a residence and the city limits of Pismo Beach.

- f. Normal workover procedures should not exceed the average maintenance cycle, with the exception of breakdowns and emergencies that are verified to the Director through the Division of Oil and Gas' closest office to the well location.

[Amended 1985, Ord. 2215]